

JULIA C. DUDLEY, CLERK
BY:  DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division

ELIZABETH SINES, et al.,)	
Plaintiffs,)	Civil Action No. 3:17cv00072
)	
v.)	<u>ORDER</u>
)	
JASON KESSLER, et al.,)	By: Joel C. Hoppe
Defendants.)	United States Magistrate Judge

Before the Court is Plaintiffs' Motion to Strike Defendant Loyal White Knights of the Ku Klux Klan's Answer. ECF No. 155. Defendant has not filed a response to the Motion.

Plaintiffs' Complaint asserts claims against a number of Defendants arising out of events that occurred in Charlottesville on August 11 and 12, 2017. ECF No. 1. The Complaint identifies Defendant Loyal White Knights of the Ku Klux Klan ("LWK") as an unincorporated association based in North Carolina. Compl. ¶ 44. On December 11, 2017, Amanda Barker filed a "Response to Summons" on behalf of the LWK denying the allegations in the Complaint. ECF No. 146. Mrs. Barker did not note her appearance as an attorney on behalf of the LWK. Although she identified herself as the "Imperial Kommander" of the LWK, ECF No. 146-1, she did not indicate that she is a licensed attorney. In their Motion, Plaintiffs' counsel represent that they have searched the Virginia and North Carolina attorney directories and have not located Mrs. Barker on their rolls. Although an individual may represent himself or herself, "a corporation may appear in the federal courts only through licensed counsel." *Rowland v. Calif. Men's Colony*, 506 U.S. 194, 202-03 (1993). This rule "applies equally to all artificial entities." *Id.* at 202. Because LWK is an unincorporated association, and Mrs. Barker does not appear to be a licensed attorney, she may not represent LWK in this Court.

Accordingly, Defendant LWK is hereby DIRECTED to retain a licensed attorney and have that attorney note an appearance in this matter and file a proper responsive pleading within fourteen (14) days of entry of this Order. *See* W.D. Va. Gen. R. 6(a)–(d), (i). Failure to comply with this Order will result in the “Response to Summons” being stricken and default being entered against LWK.

Plaintiffs’ Motion, ECF No. 155, is hereby GRANTED in part.

It is so ORDERED.

The Clerk shall deliver a copy of this Order to counsel of record and to Mrs. Barker.

ENTER: January 3, 2018

A handwritten signature in black ink, appearing to read "Joel C. Hoppe".

Joel C. Hoppe
United States Magistrate Judge